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SUBJECT: USG RESPONSE TO WHO-OHCHR RIGHT TO HEALTH "FACT SHEET"

REF: STATE 108531

¶1. As requested reftel, Mission officers met with WHO and OHCHR officials to deliver copies of letters from IO Assistant Secretary Hook on the recent publication of the WHO-OHCHR "fact sheet" on the "right to health."

¶2. Mission Health Attache met October 23 with WHO Deputy Director-General Asamoah Baah and Executive Director of the WHO Director-General's Office, Bill Kean. Drawing on the points in A/S Hook's cover letter, Health Attache emphasized the seriousness of our concerns with this publication and reiterated our request that it be rescinded. Noting that WHO had not yet received A/S Hook's letter, Kean said WHO would review the fact sheet in light of the U.S. critique and, in consultation with OHCHR, consider appropriate next steps.

¶3. Charge Mark Storella met October 31 with Deputy High Commissioner for Human Rights Kung-Wa Kang concerning this and other issues. Charge expressed our deep concern and disappointment with the fact sheet, reiterating key points in A/S Hook's letter. DHC Kang responded that OHCHR takes the position that the right to health is a fundamental right, enshrined in many documents. The U.S., she argued, is in a minority on this issue, as its view on the right to health was not shared by much of the international community. OHCHR had the "obligation" to inform people about their rights, "to bring the language of rights to everyday people," Kang continued, and fact sheets such as the one in question were key instruments for doing so. When challenged about whether the fact sheet was indeed an accurate representation of the facts, Kang said that fact sheets were aimed at the broad public, and while factual errors were unacceptable, technical details might be omitted or not fully fleshed out in the interest of accessibility of the information to the broader public. That said, Kang said she was impressed at the level of detail in the U.S. response to the fact sheet and would reply after studying it carefully.

STORELLA